

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

PHILLIP JOHN MCCUMBER,  
HEATHER LYNN WILKINSON

*Debtor(s)*

: Bankruptcy Case No. 17-11339-TPA

: Chapter 13

**PLAN CONFIRMATION ORDER**

**A** It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated April 27, 2021, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A* (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

1. No further payments to the following secured/priority claimant(s) is/are due and owing because of the surrender of collateral referred to in the Plan. All prior payments to the following Creditors(s) is/are approved. Creditor(s) and Claim No(s). **PNC Bank Cl.#8.**

**B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s)

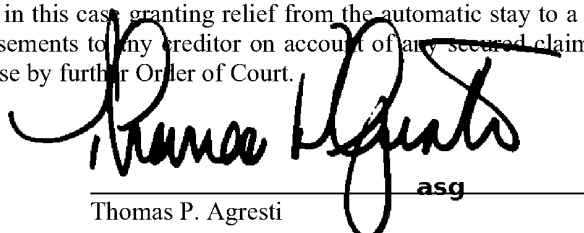
as filed causes the Plan to be underfunded.

**C IT IS FURTHER ORDERED THAT:**

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
6. Debtor(s) shall file an Amended Schedule I in the event of:
  - (a) Household income increases, because of new employment, promotion, or otherwise, since any increase in disposable income shall qualify for modification under §1329 retroactive to the date of the increase.
  - (b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or any increase of 10% in household income. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation or increase in household income.
  - (c) Household income increases by 1% or more over most the recently filed Schedule I. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the increase in household income.
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.
8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.
10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 22, 2021

Revised 1/5/2021

  
Thomas P. Agresti

asg

United States Bankruptcy Judge

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:  
Phillip John McCumber  
Heather Lynn Wilkinson  
Debtors

Case No. 17-11339-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1  
Date Rcvd: Jun 25, 2021

User: agro  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 55

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 27, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Phillip John McCumber, Heather Lynn Wilkinson, 235 East State Street, Albion, PA 16401-1360
cr	+ Erie Community Credit Union, 1915 East 36th Street, Erie, PA 16510-2663
14748373	+ AES, 1200 N. Seventh Street, Harrisburg, PA 17102-1419
14748372	+ AES, P.O. Box 61047, Harrisburg, PA 17106-1047
14748374	American Express, P.O. Box 1270, Newark, NJ 07101-1270
14776719	American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14748379	CBNA, P.O. Box 3283, Sioux Falls, SD 57117
14748385	Discover, P.O. Box 742655, Cincinnati, OH 45274-2655
14931678	ECMC, PO Box 16408, St. Paul, MN 55116-0408
14759101	+ Erie Community Credit Union, c/o Carol F. Messenger, Payment Solution, 1915 East 36th Street, Erie, PA 16510-2663
14748387	+ Erie Community Credit Union, 1129 State Street, Erie, PA 16501-1911
14748388	+ I.C. Systems, Inc., P.O. Box 64378, St. Paul, MN 55164-0378
14748389	+ Krista McCumber, 1626 West 41st Street, Erie, PA 16509-1140
14748392	+ Michael F. Ratchford, Esquire, 120 North Keyser Avenue, Scranton, PA 18504-9701
14748394	+ NAPA, P.O. Box 275, Glen Head, NY 11545-0275
14748395	+ NCO Group, Inc., 120 North Keyser, Scranton, PA 18504-9701
14762826	+ PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
15043733	Rushmore Loan Management Services LLC, P.O. Box 55004, Irvine, CA 92619
14748398	+ Saint Vincent Health Center, 232 West 25th Street, Erie, PA 16544-0001
14748407	UPMC Community Medicine, c/of Receivables Outsourcing LLC, P.O. Box 62850, Baltimore, MD 21264-2850
14777571	UPMC Physician Services, PO Box 1123, Minneapolis MN 55440-1123
14748403	+ Union Home Mortgage, P.O. Box 77404, Ewing, NJ 08628-6404
14748404	+ Union Home Mortgage, P.O. Box 77407, Ewing, NJ 08628-6407
14748402	Union Home Mortgage, P.O. Box 11733, Newark, NJ 07101-4733
14764186	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
14748408	+ Wells Fargo National Bank, P.O. Box 94498, Las Vegas, NV 89193-4498
15381356	+ Westlake Financial Services, 3440 Flair Drive Lockbox # 840132, El Monte CA 91731-2823

TOTAL: 27

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14748375	Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 25 2021 23:43:02	Best Buy, P.O. Box 9001007, Louisville, KY 40290-1007
14748378	Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 25 2021 23:29:19	CBNA, 50 Northwest Point Road, Elk Grove Village, IL 60007
14748376	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 25 2021 23:29:03	Capital One Bank (USA), N.A., P.O. Box 71083, Charlotte, NC 28272-1083
14748377	+ Email/PDF: gecsedl@recoverycorp.com	Jun 25 2021 23:29:16	Care Credit, 950 Forrer Blvd., Kettering, OH 45420-1469

District/off: 0315-1

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14748382	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 25 2021 23:30:00	Children's Place, Comenity Bank, P.O. Box 182120, Columbus, OH 43218-2120
14748383	Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 25 2021 23:29:19	Citi Cards, P.O. Box 9001037, Louisville, KY 40290-1037
14782757	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 25 2021 23:43:10	Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
14748384	+ Email/PDF: gecsedl@recoverycorp.com	Jun 25 2021 23:29:16	Dick's, P.O. Box 965005, Orlando, FL 32896-5005
14753964	Email/Text: mrdiscen@discover.com	Jun 25 2021 23:29:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14748380	Email/PDF: ais.chase.ebn@americaninfosource.com	Jun 25 2021 23:29:01	Chase/Amazon, Cardmember Service, P.O. Box 1423, Charlotte, NC 28201-1423
14748381	Email/PDF: ais.chase.ebn@americaninfosource.com	Jun 25 2021 23:29:17	Chase/Slate, P.O. Box 15123, Wilmington, DE 19850-5123
14783017	Email/PDF: resurgentbknofications@resurgent.com	Jun 25 2021 23:29:09	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14748390	+ Email/Text: Documentfiling@lciinc.com	Jun 25 2021 23:29:00	Lending Club Corporation, 21 Stevenson, Suite 300, San Francisco, CA 94105-2706
14792608	+ Email/Text: bk@lendingclub.com	Jun 25 2021 23:31:00	LendingClub Corporation, 71 Stevenson Street, Suite 1000, San Francisco, CA 94105-2967
14748391	+ Email/PDF: gecsedl@recoverycorp.com	Jun 25 2021 23:29:16	Lowes, P.O. Box 965005, Orlando, FL 32896-5005
14775386	+ Email/Text: bankruptcydpt@mcmcg.com	Jun 25 2021 23:30:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
14748393	+ Email/Text: ptacct@mchl.org	Jun 25 2021 23:31:00	Millcreek Community Hospital, 5539 Peach Street, Suite 1, Erie, PA 16509-2683
14748397	Email/Text: Bankruptcy.Notices@pnc.com	Jun 25 2021 23:29:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
14773042	Email/Text: Bankruptcy.Notices@pnc.com	Jun 25 2021 23:29:00	PNC Bank National Association, P.O. Box 94982, Cleveland, OH 44101
14749631	+ Email/PDF: rmscedl@recoverycorp.com	Jun 25 2021 23:28:31	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14778781	Email/Text: bnc-quantum@quantum3group.com	Jun 25 2021 23:30:06	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14778782	Email/Text: bnc-quantum@quantum3group.com	Jun 25 2021 23:30:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
14748400	Email/Text: amieg@stcol.com	Jun 25 2021 23:29:00	State Collection Service, Inc., P.O. Box 6250, Madison, WI 53716-0250
14748399	Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 25 2021 23:43:10	Sears Credit Cards, P.O. Box 9001055, Louisville, KY 40290-1055
14748401	+ Email/PDF: gecsedl@recoverycorp.com	Jun 25 2021 23:28:24	Toys R Us, P.O. Box 965005, Orlando, FL 32896-5005
14748405	Email/Text: atemple@uhm.com	Jun 25 2021 23:29:00	Union Home Mortgage, 8241 Dow Circle, Strongsville, OH 44136
14783731	Email/Text: atemple@uhm.com	Jun 25 2021 23:29:00	Union Home Mortgage Corp., c/o Cenlar FSB, 425 Phillips Blvd, Ewing, NJ 08618
14748406	+ Email/Text: BankruptcyNotice@upmc.edu	Jun 25 2021 23:31:00	UPMC, 2 Hot Metal Street, Room 386, Pittsburgh, PA 15203-2348

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TOTAL: 28

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Rushmore Loan Management Services LLC
cr		Union Home Mortgage Corp.
14748396		Pepsio Savings Plan
cr	*	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14931680	*	ECMC, PO Box 16408, St. Paul, MN 55116-0408
14931681	*	ECMC, PO Box 16408, St. Paul, MN 55116-0408
14931682	*	ECMC, PO Box 16408, St. Paul, MN 55116-0408
14748386	##+	Eastern Revenue Inc., P.O. Box 185, Southeastern, PA 19399-0185

TOTAL: 3 Undeliverable, 5 Duplicate, 1 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 27, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 25, 2021 at the address(es) listed below:

Name	Email Address
Bradley Joseph Osborne	on behalf of Creditor Rushmore Loan Management Services LLC bosborne@hoflawgroup.com pfranz@hoflawgroup.com
Brian Nicholas	on behalf of Creditor Union Home Mortgage Corp. bnicholas@kmlawgroup.com
Danielle Boyle-Ebersole	on behalf of Creditor Rushmore Loan Management Services LLC dboyle-ebersole@orlans.com
Michael S. Janin	on behalf of Debtor Phillip John McCumber mjanjanin@quinnfirm.com mboni@quinnfirm.com;mmbquinnbankruptcy@gmail.com;mtrayer@quinnfirm.com;gbeeko@quinnfirm.com;knottingham@quinnfirm.com
Michael S. Janin	on behalf of Joint Debtor Heather Lynn Wilkinson mjanjanin@quinnfirm.com mboni@quinnfirm.com;mmbquinnbankruptcy@gmail.com;mtrayer@quinnfirm.com;gbeeko@quinnfirm.com;knottingham@quinnfirm.com
Nicholas R. Pagliari	on behalf of Creditor Erie Community Credit Union npagliari@mijb.com sburick@mijb.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedwpa.com

TOTAL: 8